



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2006 REGULAR SESSION

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SENATE BILL NO. 35

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WEDNESDAY, JANUARY 18, 2006

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The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED  
DATE March 17, 2006  
10:13 am  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Adler

AN ACT relating to the primary program.

***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

1       Section 1. KRS 158.031 is amended to read as follows:

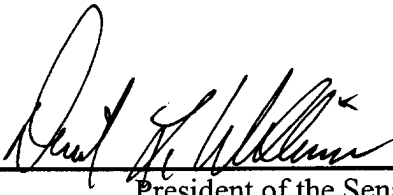
- 2       (1) In this section, "primary school program" means that part of the elementary school  
3       program in which children are enrolled from the time they begin school until they  
4       are ready to enter the fourth grade. Notwithstanding any statute to the contrary,  
5       successful completion of the primary school program shall be a prerequisite for a  
6       child's entrance into fourth grade.
- 7       (2) The Kentucky Board of Education shall establish, by administrative regulation,  
8       methods of verifying successful completion of the primary school program in  
9       carrying out the goals of education as described in KRS 158.6451.
- 10      (3) The primary program shall include the following critical attributes: developmentally  
11      appropriate educational practices; multiage and multiability classrooms; continuous  
12      progress; authentic assessment; qualitative reporting methods; professional  
13      teamwork; and positive parent involvement.
- 14      (4) Each school council or, if none exists, the school shall determine the organization of  
15      its ungraded primary program including the extent to which multiage groups are  
16      necessary to implement the critical attributes based on the critical attributes and  
17      meeting individual student needs.
- 18      (5) The implementation of the primary program may take into consideration the  
19      necessary arrangements required for students attending part-time and will allow for  
20      grouping of students attending their first year of school when determined to be  
21      developmentally appropriate.
- 22      (6) **A school district may advance a student through the primary program when it is**  
23      **determined that it is in the best educational interest of the student. A student who**  
24      **is at least five (5) years of age, but less than six (6) years of age, and is advanced**  
25      **in the primary program may be classified as other than a kindergarten student**

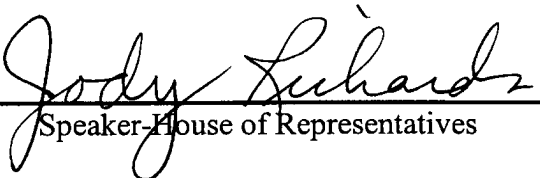
for purposes of funding under KRS 157.310 to 157.440 if the student is determined to have acquired the academic and social skills taught in kindergarten as determined by local board policy in accordance with the process established by Kentucky Board of Education administrative regulation.

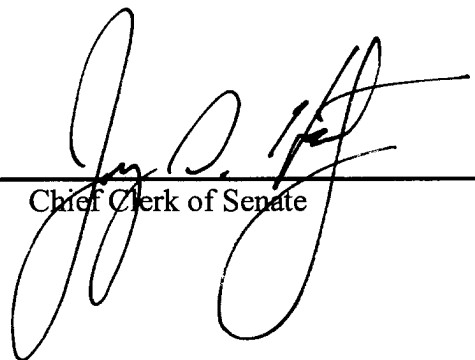
(7) Data shall be collected by each school district on the number of students, in each school having a primary program, who take five (5) years to complete the primary program. The data shall be reported in the annual performance report described in KRS 158.6453.

Section 2. KRS 158.030 is amended to read as follows:

"Common school" means an elementary or secondary school of the state supported in whole or in part by public taxation. No school shall be deemed a "common school" or receive support from public taxation unless the school is taught by a certified teacher for a minimum school term as defined by KRS 158.070 and every child residing in the district who satisfies the age requirements of this section has had the privilege of attending it. Provided, however, that any child who is six (6) years of age, or who may become six (6) years of age by October 1, shall attend public school or qualify for an exemption as provided by KRS 159.030. Any child who is five (5) years of age, or who may become five (5) years of age by October 1, may enter a primary school program, as defined in KRS 158.031, and may advance through the primary program without regard to age in accordance with subsection (6) of Section 1 of this Act.

  
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President of the Senate

  
\_\_\_\_\_  
Speaker House of Representatives

Attest:   
\_\_\_\_\_  
Chief Clerk of Senate

Approved   
\_\_\_\_\_  
Governor

Date 3.16.06